

CHAPTER 7 Intergovernmental Cooperation Element

66.1001(2)(g) Wis. Stat.:

Intergovernmental cooperation element. A compilation of objectives, policies, goals, maps, and programs for joint planning and decision making with other jurisdictions, including school districts, drainage districts, and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts, drainage districts, and adjacent local governmental units, and to the region, the state and other governmental units. The element shall consider, to the greatest extent possible, the maps and plans of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, with which the local governmental unit shares common territory. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.0301, 66.0307 or 66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

The intergovernmental cooperation chapter identifies opportunities for establishing or maintaining cooperation between units of government. Cooperation improves lines of communication between different units of government, aids in the recognition and possible resolution of conflicts between jurisdictions, and allows for the identification of mutual service needs and improvements. The intent of this chapter is to identify, inventory, and analyze existing and potential cooperative relationships.

Section 7.1 Inventory and Analysis Intergovernmental Relationships

Inventory and examination of existing municipal relations allows for the understanding of how municipalities currently work together and how these relationships can be enhanced. As the Town of Amherst develops over the next 20 years it is important for them to continue to work with surrounding municipalities, school districts, and other governmental units.

A. Adjacent Units of Government

The Town of Amherst shares borders with the Portage County Towns of Buena Vista, Lanark, New Hope, Stockton and the Waupaca County Town of Scandinavia. The Town is unique in that the Villages of Amherst, Amherst Junction and Nelsonville are located within the Town.

1. Adjacent Communities

The Town has been working with the three villages to develop consistent and uniform ordinances that deal with signs and adult entertainment businesses to prevent a patchwork of differing regulations across municipal boundaries. The Town amended a sign ordinance in 2013 and along with the Village of Amherst Junction adopted the 'Joint Boating Ordinance for Town of Amherst and Village of Amherst Junction to Regulate Boating Upon the Waters of Lake Emily' in 2011. As issues develop, Town officials desire to continue this working relationship to maintain and enhance the quality of life for residents in the area, regardless of the governmental unit in which they reside.

The Town of Amherst has agreements with surrounding communities for aid in snow removal and road maintenance on local roads that are located along the Town boundaries.

The Town and Village of Amherst have an informal agreement regarding the lighting at the Cty Rd KK (formerly known as USH 10) and Cty Rd B intersection. The costs for electricity and repairs to the light structures are shared evenly between the two municipalities.

The Amherst Area Fire District and EMT's — The Town of Amherst is part of the Amherst Area Fire District, along with the Villages of Amherst, Amherst Junction and Nelsonville, and portions of the Towns of Lanark and Stockton. An agreement to create the Amherst Area Fire District was signed January 1, 1993 by representatives of the Villages of Amherst, Nelsonville, Amherst Junction, and the Town of Amherst. In addition to serving those areas, the Fire District contracts to supply fire protection to several other adjacent municipalities or parts thereof.

All equipment is owned and maintained by the Fire District. Title to all property is vested in the Fire District and is housed at the fire station located in the Town of Amherst at the corner of Packer Ave. and Fairgrounds Rd. The affairs of the Fire District are handled by a committee consisting of a voting representative appointed by each of the founding municipalities, plus a fire chief, who serves as a non-voting member. The Fire District is supported by its member communities based on a formula that is part of the initial 1993 agreement.

Emergency Medical Technicians (EMT's) are local residents who volunteer to be the first to respond to accidents and medical emergencies within the area. EMT's are dispatched by the Portage County 911 system and attempt to stabilize patients before ambulances arrive. Supplies and equipment used by local EMT's are kept at the Amherst Fire Station. The EMT program is supported financially by the municipalities involved in the Amherst Fire District.

The Town has Mutual Aid Agreements with surrounding Portage County communities, as well as the Iola and Rural Fire Volunteer Fire Department located in Waupaca County.

2. Extraterritorial Jurisdiction

Recognizing that land uses in town territory may affect neighboring cities and villages that may need to grow beyond their borders, state laws have long provided these municipalities with certain "extraterritorial" authority over adjacent town lands and have provided methods for them to expand their borders through annexation. This city and village extraterritorial authority may, subject to the applicable laws, apply to planning, land division approvals, zoning and coverage of a city or village official map. The extraterritorial jurisdiction for a city with a population of 10,000 or more is three miles from its corporate boundary, while the extraterritorial jurisdiction for a city whose population is under 10,000 and for villages is one and one half miles from their corporate boundaries.

The extraterritorial boundaries of the Villages of Amherst, Amherst Junction, and Nelsonville extend into portions of the Town (Map 8.2 Future Land Use). The Town recognizes the mutual benefit of working collaboratively and responsibly with the villages regarding extraterritorial land use.

B. School Districts

The Town of Amherst is served by two school districts: the Tomorrow River School District, serving most of the Town; and the Iola-Scandinavia School District, serving residents in the northeast corner of the Town. The primary form of interaction with these entities is through the

payment of property taxes which, in part, help to fund the districts. The Town has little participation with either district in issues pertaining to administration or siting of new facilities.

C. County

1. Portage County Solid Waste

The Town contracts with Harter's Fox Valley Disposal for handling solid waste and recycling materials. Waste and recyclables can be taken to the County's Material Recovery Facility (MRF) in Plover.

2. Portage County Highway Department

The Highway Department of Portage County maintains and plows State and County Roads in the Town. This Department also administers the application process for local road projects as part of the Wisconsin Department of Transportation's Local Roads Improvement Program.

3. Portage County Police and Ambulance

The Town relies on the Portage County Sheriff's Department to provide protective services through periodic patrols and an "on-call" basis. The Stevens Point Fire Department operates the Ambulance Service for Portage County. [See Utilities and Community Facilities Chapter for detailed information.]

4. Portage County Planning and Zoning Department

There are currently seven different sections operating under the Planning and Zoning Department: Planning, Zoning and Code Administration, Land Conservation, On-Site Waste, Groundwater Management, Justice, and Economic and Business Park Development.

The Planning and Groundwater Management Section includes staff and resources to assist local communities in the preparation or amending of various plan documents including a comprehensive plan. Staff can also assist in water quality testing associated with siting new developments.

The Code Administration Section staff is responsible for administering the County's Zoning, Wellhead Protection, Tower, Subdivision, Floodplain Zoning, Shoreland Zoning, Non-metallic Mining Reclamation, and Private Sewage System Ordinances. [The Towns of Pine Grove and Grant currently do not participate in the Portage County Zoning program.]

The Land Conservation Section staff works with individuals to design and implement conservation practices. Assistance may be given to Towns upon request.

5. Portage County Parks Department

The Portage County parks, including Cate and Lake Emily in the Town of Amherst, are open all year; however, they are only maintained by the Department from May 1st to October 31st. In addition, Portage County owns an unimproved boat landing on the south side of Lake Meyers on Lake Meyers Road to provide access to that water body. In addition, two public boat landings are maintained at Lake Emily. The Town interacts with the Parks Department on an as-needed basis as issues arise.

D. State of Wisconsin

The two primary State agencies that the Town of Amherst interacts with are the Wisconsin Department of Natural Resources (DNR) and the Wisconsin Department of Transportation

(WisDOT). The DNR is responsible for natural resource protection, compliance monitoring, and law enforcement.

WisDOT is responsible for the planning and development of road networks and associated infrastructure and is the lead agency for the Local Roads Improvement Program (LRIP). Town road improvement projects must be submitted as part of a two year improvement plan.

A third agency, the Department of Agriculture, Trade and Consumer Protection, enforces the livestock siting regulations and animal control issues.

Section 7.2 Identification of Existing or Potential Issues and Conflicts with Other Governmental Units

The Town Plan Commission identified some issues with other governmental units that need further attention:

- How can the Town encourage the Portage County Planning and Zoning Department to update its ordinances, policies and procedures in a timely manner?
- How can the Town protect its tax base against aggressive annexation which forces people to become part of a village against their wishes?
- How can the Town have better communication with the County Highway Department regarding highway plans, jurisdictional transfers, and maintenance schedules, including projects that are subcontracted along county and town roads, *i.e.* brush and tree clearing?
- How can the Town work with other agencies and organizations to better educate the public regarding the role of Town government?

The Town of Amherst has identified a potential conflict with Village of Amherst regarding cooperative working relationships, land uses, unfriendly annexations, etc. due to language in the Land Use element of the Village of Amherst's adopted Comprehensive Plan. Language in the Village Plan encourages annexation between certain areas of the new USH 10 facility and the Villages corporate boundaries.

Section 7.3 Issues/Conclusions Regarding Intergovernmental Relations and Possible Methods of Conflict Resolution

Possible methods of conflict resolution with the Village of Amherst include:

- An acknowledgement of the issue
- Discuss conditions of service provision without annexation
- Investigate the creation of a sanitary district
- Set up a joint extraterritorial committee between the Town and Village of Amherst.

In addition, the Town would like to continue its intergovernmental agreements with surrounding communities and meet with their representatives on a periodic basis to review how relationships and services can be improved.

Section 7.4 Intergovernmental Cooperation Goals, Objectives, and Policies

Goal 1: Work to maintain or improve intergovernmental relationships.

Objectives:

1. Work with other communities to maintain appropriate public access to natural resources and recreational opportunities.
2. Communicate with surrounding municipalities for discussion of Land Use and other related issues.
3. Share services with other units of government whenever possible.

Policies:

1. Continue to meet with other government units as needed.
2. Continue participation with the Portage County Towns Association.
3. Explore additional opportunities for intergovernmental agreements.
4. Continue shared agreements with adjacent units of government (roads, Fire Dept., lighting).

